

ARTICLE 5
GENERAL SANITATION

§760-501 Offensive Material

1. The term "offensive material" as used in this section shall mean any sewage, fecal matter, urine, garbage, or any putrescible organic matter, the contents of private or individual sewage disposal systems, either liquid or solid state, laundry waste waters, or any other substance or liquid which may affect health.
2. No person shall permit, deposit, store, or hold any offensive material on any premises or place unless such material is so treated, screened, covered, placed or located so as not to create a public health nuisance. No person shall discharge or place any offensive material into any of the waters of the health district without special permission from the Commissioner, or unless a permit is issued for such discharge in accordance with provisions of the New York State Environmental Conservation Law.
3. All containers for the storage of offensive material shall completely confine the material, shall be rodent and insect proof, and shall be kept in an inoffensive and sanitary condition at all times.
4. No person shall remove or transport, or permit the removal or transportation of any offensive material except in such manner as will prevent the creation of a public health nuisance, or the loss or discharge of material in any place. All such material shall be so handled, covered, or treated that it cannot escape or be accessible to rodents, flies or other insects, or create a public health nuisance. All vehicles and implements used in connection therewith shall be kept in a sanitary condition.
5. No person, excepting a municipality, shall engage in the business of removing, collecting, transporting, disposing of offensive material, or cleaning or reconditioning private or individual sewage disposal systems by the addition of chemicals or otherwise within the health district without a permit therefore issued by the Commissioner.
6. As a condition to issuing any permit under this Article, the Commissioner may require the filing of reports of actions subsequently taken by the permittee pursuant thereto.
7. The Commissioner may promulgate standards and establish guidelines for determining under what circumstances additives may be introduced into private or individual sewage disposal systems to clean or recondition them.
8. Any person to whom a permit is issued under this Article shall keep and maintain and make available for inspection by the Commissioner, on demand, such records as may reasonably be required of him by the Commissioner. Authority is hereby delegated to the Commissioner to require of permittees by directive the keeping of such records as

the Commissioner shall deem necessary for the proper discharge of his responsibilities.

§760-502 Sewage Disposal

1. No person, either as owner, lessee or tenant of any property, dwelling, building, or place shall construct or maintain any private or individual sewage disposal system, pipe, or drain so as to expose or discharge the sewage contents or any other deleterious liquid or matter therefrom onto the surface of the ground, or expose to the atmosphere nor so to endanger any source or supply of drinking water.
2. No person shall discharge any sewage into any waters of the health district unless a permit therefore has been issued by the Commissioner or unless a permit is issued under the provisions of the New York State Environmental Conservation Law for such discharge.
3. No person shall undertake to construct, operate, or provide a system or facilities for the private or individual disposal of waterborne sewage, domestic or industrial or trade wastes to serve any building, dwelling, school, institution, or any other premises from which such wastes may be discharged, unless such construction conforms to standards approved by the Commissioner or a permit is issued for such system under the provisions of the New York State Environmental Conservation Law. The Commissioner may require the submission of plans and any other information necessary to insure that such systems conform to approved standards.
4.
 - a. No person shall construct or permit to be constructed on any premises any private or individual sewage disposal system where an approved public sanitary sewer is available and accessible.
 - b. Sewage from any building or premises shall be discharged directly into a municipal sewage disposal system, if available and accessible.
 - c. If there is no municipal sewage disposal system or facility connecting therewith available and accessible, sewage from any building or premises shall be discharged directly into a privately-owned community sewage disposal system or a facility connecting with a privately-owned community sewage disposal system, if available and accessible.
 - d. If there is no municipal or privately-owned community sewage disposal system or facility connecting therewith available and accessible, an individual sewage disposal system approved by the Department as hereinafter provided may be used.
 - e. In the event that a municipal or communal sewage disposal system or facility connecting therewith becomes available and accessible, any building or premises shall be connected to such municipal or privately-owned community sewage disposal system, and immediately thereafter the use of any other sewage disposal system or facility shall be discontinued.

- f. At the time of connection of an industrial, non-residential institutional, non-residential commercial or trade building to a municipal or communal sewage disposal system, all other points of liquid discharges except uncontaminated stormwater runoff and non-contact cooling water shall be discontinued and the discharge pipes permanently removed or sealed. All cesspools, septic tanks, dry wells and other drainage facilities for any liquid discharges other than stormwater runoff or non-contact cooling water shall be pumped dry of any liquid, cleaned of any accumulated sludge and filled in to grade with clean soil. Any industrial or domestic sludge or liquid waste resulting from such cleaning shall be removed by a properly licensed industrial or domestic waste hauler. Any pre-treatment necessary to render a liquid waste acceptable to the municipal or communal sewage disposal system shall be provided prior to discharge to the sewer. No discharges to or into the ground shall be allowed when sewer service is available except for stormwater runoff and non-contact cooling water.
5. Variances and Waivers. The Commissioner of the Department of Health Services, in his discretion, and upon recommendation of the Board of Review, may grant or deny a variance or waiver from this section after an application requesting such relief is made and supporting evidence has been presented to the Board of Review. The Commissioner may grant an application only if the variance or waiver will be in harmony with the general purpose and intent of this section to protect groundwater, surface water and drinking water supplies and public health, safety and welfare. The determination whether the variance or waiver should be granted shall be made pursuant to the criteria and conditions in 760-609 of this Code.

§760-503 Public Toilets

Every person who shall provide a toilet for the use of employees, patrons or members or available to the public, shall maintain such toilet in a clean, well-lighted, ventilated and sanitary condition at all times. The floor of such toilet shall be impervious to moisture and properly drained. An adequate supply of soap and sanitary individual towels or their equivalents shall be provided, and there shall be running water available at all times. The owner of a building or dwelling, or his agent in charge thereof, wherein two or more tenants have common use of the toilet shall be responsible for the maintenance of such toilet so that it is kept in repair and in a clean and sanitary condition at all times.

§760-504 Public Health Nuisances

Whenever any establishment, building, premises or place becomes or is maintained or operated in such a manner so as to constitute a nuisance which in the opinion of the Commissioner may affect health or is the cause of such nuisances existing elsewhere, the Commissioner shall cause an investigation to be made, and after a hearing if, in his opinion, such nuisance requires abatement, the Commissioner may order its abatement. Failure to comply with such order shall be deemed a violation of the Sanitary Code.

§760-505 Insect and Rodent Control

1. Every occupant of a dwelling or dwelling unit shall store and dispose of rubbish, boxes, lumber, scrap metal, or any other materials in such a manner as to prevent rodent harborage in or about any dwelling or dwelling unit. Such material shall be stacked in piles elevated to a level of at least eight inches off the ground and in a manner to permit effective cleaning.
2. Any person feeding animals in the open shall feed them in a suitable container. Such container shall prevent access by rodents, animal species identified as rabies carriers, vermin and other pests.
3. All approved means necessary or required shall be taken to eliminate flies, insects, rodents or other vermin from any habitable building or grounds and to prevent the breeding or harboring of such vermin on the premises. Approved means shall include, but not be limited to, removal of stagnant water, prevention of food sources, and elimination of breeding sites.

§760-506 Heating Standards, Utilities and Services

1. No person as owner or occupant shall let to another or permit another to occupy a dwelling or dwelling unit which does not comply with the following requirements.
 - a. Heating Facilities. Every dwelling shall have heating facilities which are properly installed, and are maintained in safe and good working conditions, and are capable of safely and adequately heating all habitable rooms, bathrooms and water closet compartments in every dwelling unit as noted in b. below.
 - b. Minimum Temperature. During the months between October first and May thirty-first, the minimum temperature to be provided shall be sixty-eight degrees Fahrenheit whenever the outdoor temperature falls below fifty-five degrees; provided, however, that the Multiple Residence Law shall govern, where applicable.
2. No owner, operator or occupant shall cause or be responsible for the discontinuance of heat, water, or electric service to any occupied dwelling or dwelling unit; provided, however, that temporary interruption may be necessary and permissible while actual repairs or alterations are in process, or during temporary emergencies when discontinuance of service is not reasonably avoidable or is approved by the Commissioner.

§760-507 Water Supply

No person, nor any business entity of any type, nor any combination thereof, as landlord, lessor, licensor or owner, shall rent, lease, license or otherwise allow the use and occupancy of residential premises or dwelling units or premises used for residential purposes served by an on-site drinking water supply well where the water quality exceeds the maximum contaminant levels prescribed in Subpart 5-1 of the New York State Sanitary Code

(Adopted 9/3/1975; Amended 12/2/1981, 4/9/1986, 2/4/1995, 2/9/2000)